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JUL 10 2006

REMARKS

Claim 1 calls for "initiating from the base station" a downloading of interface software when the mobile unit accesses the base station. Thus, there are two requirements: (1) initiation from the base station and (2) downloading "when the mobile unit accesses a base station."

The response to arguments on page 6 of the final rejection states that "Phillips discloses that the mobile terminals are programmable via software downloaded over the air interface in response to a mobile unit accessing the base station (see column 4, lines 20-27)."

However, the exact language is as follows: "In a further embodiment, some or all of the mobile terminals may be programmable via software downloaded over the air interface from the mobile network via the base station in response to a request from a terminal [emphasis added]." Thus, contrary to the language used in the office action which indicates that the downloading is "in response to the mobile unit accessing the base station," it is clear that the downloading is "in response to a request from a terminal." This being so, the reference does not teach the first element set forth above because the downloading is not initiated from the base station, it is initiated from the mobile terminal.

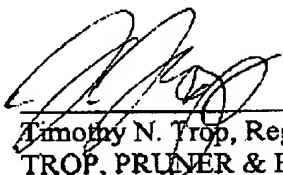
Moreover, there is nothing that indicates that the downloading occurs "when the mobile unit accesses the base station." While this is suggested in the office action, the language in the reference does not seem to support the conclusion drawn.

The further comment that Phillips discloses multimode base stations is noted, but it is not seen how it is relevant to the patentability analysis.

Therefore, reconsideration is requested.

Respectfully submitted,

Date: July 10, 2006



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